

## **ARTICLE IX-A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT**

### **Section 901-A Purpose of District**

The purpose of the Planned Unit Development (PUD) District is to permit a development that:

1. Permits more flexibility and creativity in individual planned developments while reducing improvement costs through more efficient arrangements of varied land uses, buildings, circulation systems, and infrastructure;
2. Permits innovative site plans by granting relief from more strict and fixed regulations provided for in zoning districts otherwise established by this Ordinance;
3. Encourages the preservation and enhancement of the natural amenities of land and protects the natural features of a site;
4. Permits infill development and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography and by the use of stringent design and development controls;
5. Secures more usable open and recreational space than expected by the use of conventional regulations; and
6. Provides a living, working, and shopping environment within the layout of the site that contributes to a sense of community.

### **Section 902-A- Criteria for Evaluation**

When evaluating an application for a PUD, the City shall consider:

1. The relationship between the proposed development plan and the surrounding land uses;
2. The adequacy of existing and proposed vehicular and pedestrian rights-of-way, utilities and other public facilities and services intended to serve the PUD.
3. The character, design and appropriateness of the following factors:
  - A. Design and compatibility with existing surrounding land uses;
  - B. Traffic control;
  - C. Noise reduction;
  - D. Sign and light control;
  - E. Preservation of open space, historic sites and structures, and visual corridors;
  - F. Police and fire protection;
  - G. Storm drainage;
  - H. Landscaping and screening; and
  - I. Other matters specifically relevant to the proposed development necessary to foster desirable living and working conditions and compatibility to the existing environment.

### **Section 903-A PUD Eligibility Requirements**

The tract of land submitted for PUD development must be developed as a single design entity, even though development may be in phases, and must be under unified control and that control will be maintained throughout the PUD development period.

### **Section 904-A Uses Permitted**

Uses permitted by right in the Planned Unit Development District are those normally necessary to make up a total community and therefore a PUD is consistent with any zoning district.

### **Section 905-A Regulations**

1. Minimum development area - five (5) acres.
2. Minimum yard requirements - as stated on the final development plan, as approved by the Site Plan Review Committee.
3. Maximum height - as stated on the final development plan, as approved by the Site Plan Review Committee.
4. Maximum lot coverage - as stated on the final development plan, as approved by the Site Plan Review Committee.

### **Section 906-A Open Space Reservation**

The applicant (owner) shall utilize one of the following plans for providing assurance that the common open space in the final development plan is adhered to, to wit:

1. Posting a performance, labor and material payment bond, or cash, with surety acceptable to the Planning and Development Director or designee in an amount equal to one hundred ten percent (110%) of the estimated construction cost as determined by the Planning and Development Director or designee;
2. Any other method proposed by the applicant (owner) which is acceptable to the City Council. Said alternative method shall serve the purpose of providing assurance that the final development plan is adhered to.

### **Section 907-A Open Space Responsibility**

The applicant (owner) shall, at the time of making an application, commit to utilize one of the following general plans for providing for the ownership, use, maintenance, and protection of the common open space areas:

1. Establish an association or non-profit corporation of all individuals and entities owning property within the PUD;
2. Applicant (owner) to retain ownership control of such area and be responsible for the maintenance thereof;
3. Any other method proposed by the applicant (owner) which is acceptable to the City Council. Said proposed alternative method shall serve the purpose of providing for the ownership, use, maintenance, and protection of the common open space area.

### **Section 908-A Pre-Application Conference**

To address technical requirements, a pre-application conference is required for all proposed PUDs. The pre-application conference is to be an informal meeting with and between the Zoning Administrator, Planning Director, developer and others as required. A plan will be reviewed at the pre-application conference and must be at an appropriate scale. The plan will include the entire PUD tract, and show, in some detail, the location of proposed uses, the proposed development density, housing types, layout of roads by classification, location of all entrances to the tract, and configuration of common open space. The developer will also submit, at the pre-application conference, a brief narrative text that describes the project's general design and architectural policies; the treatment of environmentally sensitive land located in the tract; the proposed time frame, if development is to be phased; and the documents, agreements, provisions or other assurance governing the ownership, use, development and maintenance of the project's common open space areas.

### **Section 909-A Procedure**

The procedure for application for a PUD is to be the same as that outlined in Article XVII Rezoning (Map Amendments), Text Amendments, Special Exceptions, Variances, and Use Permits. Such application shall also include a plan of the entire tract identifying the location of all proposed uses and housing types, layout of roads by classification, entrances to the tract, and configuration of common open space. The applicant shall also submit a brief narrative text that describes the project's general design and architectural policies; the treatment of environmentally sensitive land located in the tract; the proposed time frame, if development is to be phased; and the documents, agreements, provisions or other assurances governing the ownership, use, development and maintenance of the project's common open space areas.

### **Section 910-A Minor Revisions to Final Plan**

Minor revisions to the final development plan may be approved by the Site Plan Review Committee when, in their opinion, the revisions do not violate the spirit and intent of the final development plan. Changes to the final development plan such as, but not limited to, location of proposed uses, the proposed development density, housing types, layout of roads, location of entrances, configuration of common open space, and/or an increase or decrease in the area covered by the final development plan may be made only by following the procedures outlined in Section 909-A of this Ordinance.